

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON**

|                                                                                                  |                                                                             |
|--------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| <b>IN RE: ETHICON, INC. PELVIC<br/>REPAIR SYSTEM PRODUCTS<br/>LIABILITY LITIGATION</b>           | <b>Master File No. 2:12-MD-02327<br/>MDL No. 2327</b><br><br><b>Wave 12</b> |
| <b>THIS DOCUMENT RELATES TO:</b><br><br><i>Wave 12 cases listed on Plaintiffs’<br/>Exhibit A</i> | <b>JOSEPH R. GOODWIN<br/>U.S. DISTRICT JUDGE</b>                            |

**NOTICE OF ADOPTION OF PRIOR DAUBERT RESPONSES  
REGARDING JOHN WAGNER, M.D. FOR WAVE 12**

Plaintiffs filed a Notice of Adoption (Dkt. 8756) in the Wave 12 cases identified in Exhibit A to their Notice, adopting their Motion to Exclude Certain Opinions and Testimony of John Wagner, M.D. in Ethicon Waves 4 and 6, including the Wave 4 motion (Dkt. 3617), memorandum (Dkt. 3618), reply (Dkt. 3851), and Wave 6 motion (Dkt. 4876), memorandum (Dkt. 4879), and reply (Dkt. 5044). Defendants hereby adopt and incorporate by reference the *Daubert* response filed in relation to John Wagner, M.D. for Ethicon Waves 4 and 6, Dkt. 3731 and 4920. Defendants respectfully request that the Court deny Plaintiffs’ motion for the reasons expressed in the Waves 4 and 6 response briefing.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that on this day, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

/s/ William M. Gage

William M. Gage